

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT SEATTLE

UNITED STATES OF AMERICA,)	CASE NO. CR98-500-MJP
)	
Plaintiff,)	
)	
v.)	SUMMARY REPORT OF U.S.
)	MAGISTRATE JUDGE AS TO
TIMOTHY L. ALLEN,)	ALLEGED VIOLATIONS
)	OF SUPERVISED RELEASE
Defendant.)	
_____)	

An initial hearing on supervised release revocation in this case was scheduled before me on May 18, 2007. The United States was represented by AUSA Mark Bartlett and the defendant by Jay Stansell. The proceedings were digitally recorded.

Defendant had been sentenced on or about June 7, 1999 by the Honorable William L. Dwyer on two counts of Bank Fraud, and sentenced to 24 months custody, 5 years supervised release.

The conditions of supervised release included the standard conditions plus the requirements that defendant be prohibited from possessing a firearm, submit to search, submit to mandatory drug testing, participate in a mental health program, provide access to financial information, not

01 obtain any new credit, be restricted from employment as an accountant, auditor or tax preparer,
02 and pay restitution in the amount of \$53,096.00. (Dkt. 34.) The sentence was to run concurrently
03 to Snohomish County Superior court Cause No. 98-1-01563-7, wherein defendant was convicted
04 of two counts of forgery and two counts of theft in the first degree and sentenced to 48 months
05 custody, 24 months community supervision and ordered to pay restitution. Mr. Allen's supervision
06 in this District was transferred to the District of Idaho on February 20, 2003.

07 On December 29, 2003, defendant's probation officer filed a report alleging violations of
08 supervised release relating to new criminal charges filed in Idaho state court. (Dkt. 39.)
09 Defendant was sentenced in Idaho on those charges and incarcerated.

10 In an application dated May 11, 2006 (Dkt. 40), U.S. Probation Officer Jerome A. Walker,
11 Jr. alleged the following violations of the conditions of supervised release:

12 1. Committing check fraud on August 21, 2003, in Kootenai County, Idaho in Case
13 Number CR-F-03-17151, in violation of the standard condition that the defendant not commit any
14 federal, state or local crime.

15 2. Committing forgery on September 29, 2003, in Kootenai County, Idaho in CR-F-
16 03-20456, in violation of the standard condition that the defendant not commit any federal, state
17 or local crime.

18 3. Issuing a check without funds and committing forgery on September 29, 2003, in
19 Kootenai County, Idaho in Case Number CR-F-03-24149, in violation of the standard condition
20 that the defendant commit no new federal, state or local crime.

21 Defendant was advised in full as to those charges and as to his constitutional rights.

22 Defendant admitted the alleged violations and waived any evidentiary hearing as to

whether they occurred.

I therefore recommend the Court find defendant violated his supervised release as alleged, and that the Court conduct a hearing limited to the issue of disposition. The next hearing will be set before Judge Pechman.

Pending a final determination by the Court, defendant has been released on the conditions of supervision.

DATED this 18th day of May, 2007.


Mary Alice Theiler
United States Magistrate Judge

cc:	District Judge:	Honorable Marsha J. Pechman
	AUSA:	Mark Bartlett
	Defendant's attorney:	Jay Stansell
	Probation officer:	Jerome A. Walker, Jr., Brieanne Olsen